

To,

The Chief Electoral Officers of  
All States and Union Territories.

**Sub.-**Follow up action on the Vulnerability Mapping(VM) exercise and identification of critical polling stations and critical clusters.

Sir,

This is with reference to the Election Commission of India's instructions conveyed vide letter no. 464/INST/2008-EPS dated 24.10.08. regarding vulnerability mapping as well as identification of critical polling stations and critical clusters. As a follow up measure on the above issue, the Commission has issued the following additional instructions:-

1. In all the constituencies in the country, the vulnerability mapping(VM) exercise shall be done without exception. The VM exercise will take place in three stages i.e- (i) Identification of the villages, hamlets, voter segments vulnerable for threat and intimidation (ii) Identification of the persons causing the vulnerability i.e the troublemakers who are likely to pose threat to voters by intimidating them (iii) Initiating preventive measures against such persons and submission of Action Taken Report (ATR).
2. The first stage of exercise shall be completed with respect to each Parliamentary constituency before the issue of the gazette notification for the election in the respective constituency. In case no such vulnerable hamlet or village is identified in a district or in a Parliamentary Constituency, the DEO concerned should obtain a certificate from the field functionaries from the

*Thana*/block level and sub division level and finally submit a certificate to the CEO that no such vulnerable village or hamlet or voter segment is available/identified within his district. Such certificate should be sent **within 3 days of issue of the gazette notification.** In case of such vulnerable villages/hamlets/voter segments being identified by the grass root level officers as per the above instructions of the Election Commission, the second stage exercise of identifying the persons responsible for making the villages vulnerable shall be done polling station-wise indicating the name of village, hamlet, names of the such persons including their address and so on. This exercise of identifying the troublemakers shall be completed **within 5 days of issue of gazette notification.** After that the SP and DM shall initiate all possible preventive measures which may include the use of preventive Sections of Cr. P.C and other relevant Acts. Confidence building visits should be made by the senior officers to the vulnerable villages. They should hold meetings with the vulnerable communities and issue warning to the troublemakers that they will be tracked individually. These actions shall be taken in a focused manner.

3. For tracking the individual trouble mongers and for ensuring that the troublemakers are kept under watch, a specific officer should be designated at *Thana* (Police Station) level for ensuring the proper law and order, and peaceful poll. The name of the police officer responsible for each vulnerable location should also be mentioned along with his designation and contact number in the vulnerability mapping document. Names of contact persons from within the communities, shall also be identified and their contact numbers, mobile numbers, if any, should be noted down. After this exercise is over, an ATR will

be submitted by the DEO and SP jointly and the ATR shall be submitted **at least 5 days before the poll day** i.e if the poll day is 16.04.09 the ATR should be submitted to the CEO before 11.04.09. The Commission has made it very clear that in case of the ATR not being submitted by any DEO within the stipulated time, it may be brought to the notice of the Deputy Election Commissioner concerned by the CEO for immediate follow up action.

4. It is further directed that on arrival of the observer, the status report on the vulnerability mapping exercise shall be submitted to them by the DEO. They should be apprised of the number of hamlets/villages identified as vulnerable, no. of persons identified as vulnerable trouble makers and the preventive and confidence building measures taken or proposed to be taken at that point of time. A copy of the ATR should also be shared with the Observers. The Zonal Sections of the ECI will take a specific and focused report from each observer about the status of the vulnerability mapping at least three days before the poll day.

This may be brought to the notice of all concerned. The Commission will take a serious view in case of any deviation.

Yours faithfully,

**(R. BALAKRISHNAN)**  
**Deputy Election Commissioner**

BY FAX/CAMP BAG

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001.

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No.464/INST/2008-EPS

Dated: 24<sup>th</sup> October, 2008

To

1. The Chief Secretaries of All States/UTs.
2. The Chief Electoral Officers of All States/UTs.

Subject:- Identification of critical polling stations and measures to be taken to ensure free and fair elections

Sir,

In supersession of Commission's instructions contained in its letter No. 464/INST/2007-PLN-I dated the 12<sup>th</sup> October, 2007, I am directed to say that in order to ensure free and fair elections the Commission has decided to deploy CPF in all polling stations. However, in order to identify the critical polling stations, which may require some more additional measures, it is necessary to spell out certain objective criteria to be followed by the DEO/RO as under :-

1. An analysis of the polling station wise number of voters with EPIC and without EPIC (non EPIC voters) shall be made. The polling stations shall be sorted in descending order in terms of number of non-EPIC voters in order to prioritize.
2. The Commission had recently directed a survey of missing voters under two categories i.e. missing voters with family links and missing voters without family links. Out of these two categories the existence of missing voters without family links offers a scope for misuse and malpractice. The number of voters coming under the second category shall be analyzed polling station wise and the Polling Station with large number of such voters shall be marked. For this purpose the total number of such missing voters without family linkage shall be divided by the total number of polling stations to workout the assembly constituency average. Analyzing the deviation above the average shall identify the polling stations with large number of such voters.
3. During the election the DEOs/ROs may be asked to do a vulnerability mapping of hamlets/villages/electoral segments vulnerable for threat and intimidation. Polling stations identified as having vulnerable pockets shall be listed.

4. The polling station wise election results available in Form 20 with reference to the past general election shall be analyzed. All such Polling Station where percentage of poll recorded is more than 75% and where more than 75% of votes have been recorded in favour of one candidate shall be identified as critical polling station.
5. The polling stations that went for repoll during the previous election due to reported electoral malpractices; the polling stations that witnessed any sort of electoral violence shall also be identified.
6. The DEOs and ROs shall factor all the above inputs while finally identifying the critical polling stations for additional measures. The ECI Observers shall be consulted while finalizing the list of critical polling stations as per the above instructions.
7. The response protocol to be followed with reference to the vulnerable villages/hamlets/electoral segments has been detailed vide Commission's letter 464/INST/2007-PLN-I Dated 12<sup>th</sup> October, 2007. These instructions shall be implemented without fail.
8. With reference to polling stations identified as **critical polling stations** on account of other indicators listed above one or all of the following measures shall be put in place.
  - a. The presence of CPF to safe guard the polling station.
  - b. Digital camera or video camera shall be positioned in the polling station. The procedure for deploying such cameras has been given vide letter No.447/2007/PLN-IV, dated 17.01.2007.
  - c. The Presiding Officer shall be specially briefed to ensure that the EPIC/approved identification document, if any are properly verified and reflected in the remarks column of Form 17 A.
  - d. The list of such polling stations shall be given to the Commanding/Assistant Commanding Officers of CPF so that they can also keep an eye on such polling stations.
  - e. Deployment of a micro-observer inside the polling station.
9. This shall be brought to the notice of all concerned. A copy of the circular be handed over to all Observers through DEOs.

Yours faithfully,

(SHANGARA RAM)  
PRINCIPAL SECRETARY

**MOST URGENT**  
**BY FAX/CAMP BAG**

## **ELECTION COMMISSION OF INDIA**

*Nirvachan Sadan, Ashoka Road, New Delhi-110001.*

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No.464/INST/2007-PLN-I

Dated: 12<sup>th</sup> October, 2007

To

1. The Chief Secretaries of  
All States/UTs.
2. The Chief Electoral Officers of  
All States/UTs.

**Sub:** Measures to ensure free and fair elections- Prevention of intimidation to the voters of vulnerable sections of electorate- Mapping of Vulnerability-regarding.

Sir,

I am directed to state that the Commission has been issuing instructions regarding various measures to be taken to ensure free and fair elections. An atmosphere in which each and every elector is able to access the polling station without being obstructed or being unduly influenced by anybody is an important prerequisite to a free and fair election.

Undue influence at elections is an electoral offence under section 171C of the IPC. Any voluntary interference or attempt at interfering with the free exercise of any electoral right constitutes the crime of undue influence at an election. Section 123 (2) of the R.P Act 1951 defines, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his election agent with the free exercise of any electoral right, as a corrupt practice.

Taking due cognizance of the role being played by the muscle power in the elections and taking into account of certain prevailing socio economic realities of the electoral politics, the Commission has decided to issue the following instructions to curb the menace of threat and intimidation at elections by identifying the locations within a polling station area vulnerable for such threat and intimidation.

1. An exercise to identify the villages/ hamlets/habitats and segments of electorate vulnerable to any threat, intimidation or interference with the free exercise of electoral right shall be taken up polling station wise. The sector officers for their respective polling stations shall do this exercise by visiting the catchment area of the polling stations. The local *Thana* officer (SHO) and

local civil authorities such as BDO / Tehsildar shall also be consulted and their inputs taken into account before finalizing the list. They should identify the source of such threat/ intimidation and identify the names of persons who are likely to spearhead such offence of undue influence. While doing this exercise they shall take into account the past incidents, and current apprehensions.

2. They shall identify some point of contact within the habitat/ community vulnerable for such undue influence so that information related to such developments can be tracked constantly.
3. The Returning Officer of the Assembly Constituency should compile all such information and finalize the vulnerability mapping for the entire constituency, polling station wise in a format (enclosed).
4. The DEO and SP shall initiate all preventive measures to ensure that such intimidation/ obstruction do not really happen on the poll day. They shall initiate confidence-building measures to bolster the voters' confidence about the arrangements for free and fair poll. They shall undertake tours to such locations and meet the communities and explain the arrangements made for the free and fair poll.
5. The DEO/ RO shall interact with the candidates and representatives of political parties to gather regular feedback. The District Intelligence shall give regular feedback on the subject to the DEO through SP.
6. Upon the arrival of the Observers the DEO/ RO shall hand over the details of the polling station wise vulnerability mapping for the relevant Assembly Constituency. The Observer will also visit such locations and interact with the voters and constantly monitor the developments.
7. The DEO and Superintendent of Police of the District should hold a joint review on the subject and finalize a focused action plan to deal with the potential threats and intimidation points identified. The action plan may include, inter-alia, binding the identified trouble mongers under appropriate sections of the law, preventive detention if required, forcing their appearance in local police stations at reasonable intervals to ensure their good behavior, placement of police pickets, regular confidence building visits etc. It has to be ensured that all such measures are undertaken in absolutely non-partisan manner without fear or favour towards any particular party.
8. The Zonal/ and sector arrangements to monitor the events on the poll day shall take such pre-identified vulnerable locations into account for effective

tracking. If the normal sector route map does not cover the vulnerable locations special arrangements shall be made for this purpose. The Sector officers shall make regular visits to those villages and hamlets in advance and collect information and keep the senior officers informed.

9. Where there is a cluster of such vulnerable pockets, the DEO shall arrange for dedicated police teams/squads and locate them at convenient locations in the vicinity, to be pressed into service for action on the day of poll without any loss of time. It should invariably form part of the district security plan.
10. On the day of poll, the sector officers shall give special attention to verify whether voters from the vulnerable habitats/ communities are turning up for voting or not. In case, they find (it can be gauged from the marked copy of the electoral roll where voters who have voted are ticked) that some section of voters is conspicuously absent, then they should inform the Returning Officer about this immediately. The Returning Officer and DEO shall dispatch the dedicated squad specifically meant for this purpose, to ascertain, by a visit to the area/hamlet, that there is no hindrance – overt or covert – in movement of that section of voters. They should closely monitor the developments and initiate effective interventions. After the closing hours on the poll day, the sector officers shall submit a special report, polling station wise, in writing to the Returning Officers indicating as to whether voters from the vulnerable habitats were able to vote or not.
11. At the time of Dispatch of the polling parties at the Dispatch Centers the RO should brief the Presiding Officer concerned about the vulnerable locations within the Polling Station area. In the electoral roll the Section within the Part should also be marked for proper monitoring. The Presiding officers shall submit a report indicating abnormally low percentage of voter turnout if any within any section/sections, particularly, with reference to the vulnerable locations.
12. During the poll the Observers and other senior officers while visiting the polling station shall pay a special attention to this problem and find out whether any undue influence, intimidation/ obstruction is being caused.
13. The police patrolling parties should keep track of the vulnerable locations and keep the control room informed. Wherever necessary police pickets shall be established to ensure free access to all voters to cast their votes without fear.
14. The Commanders/Assistant Commanders of the CPMF shall be given a list of such vulnerable locations. Wherever CPMF arrives in advance for area domination, special attention shall be given for such locations. On the day of

poll the Commanders/Assistant Commanders shall make it a point to visit such vulnerable pockets as a confidence building measure. In case they come across any obstruction they shall take note of that and immediately inform any of the electoral officials such as RO/DEO/SP/Observer/Sector Officer and keep a note of the time of their intimation.

15. If any complaint is received or information gathered from any sources about obstruction/threat to any voter/voters the same shall be enquired into by the local administration without any delay.
16. The Returning Officer shall take the inputs on mass scale intimidation/threat/obstruction if any into consideration while submitting their report after the poll.
17. The Observers shall give their full attention to this issue and verify at every stage (before poll/on poll day) and submit reports to the Commission from time to time. A special mention shall be made about this in their final report. Apart from this they should make an intelligent reading of the Form 17A and the marked copy of the electoral roll used in the polling stations at the time of Form 17A scrutiny, ordered if any, by the Commission after the poll.
18. The Commission directs that accountability of various police and civil officials for vulnerability mapping and follow up at every stage shall be clearly defined with reference to each polling station/constituency. Severe disciplinary action will be initiated in case of dereliction of duty on the part of any police/civil officials in this matter.

**This shall be brought to the notice of all concerned.**

Yours faithfully,

**(K.N. BHAR)  
UNDER SECRETARY**

### Format for Collection of Information on Vulnerable Hamlets

District: \_\_\_\_\_

Constituency: \_\_\_\_\_

Polling Station no. and Name	Names of hamlets covered by the P.S.	Name of Hamlets identified as vulnerable	Name of persons identified as probable source of trouble	Remarks (Type of Threat, e.g. caste domination, communal tension, criminal gangs etc)
1	2	3	4	5

**BY FAX/SPEED POST**

**ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi-110001

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**AK MAJUMDAR  
SECRETARY**

**NO. 447/2007-PLN-IV**

**DATED:**

**17.01.07**

**To,**

**All Chief Secretaries  
All Chief Electoral Officers**

**Subject: Use of Videography and digital cameras during elections – Consolidated Instructions thereon;**

Sir,

I am directed to state that in supersession of its earlier instructions on the subject cited above, the Commission hereby issues the following consolidated instructions.

2. In order to enable the Commission to have a true, faithful and concurrent record of the violations of the election law and the standing instructions of the Commission and to assess the impact of its corrective measures, the Returning Officer of each constituency shall make arrangements to record through Videography of critical events during the process of electioneering, including but not restricted to the period of public campaign, the day of poll, the transport and receipt of polled ballot boxes and other materials, counting of votes and the declaration of results in an independent intelligent and purposeful manner.
3. For this purpose, the Returning Officers may make use of video cameras and crew available with the Governmental or semi-Governmental agencies within their jurisdiction or hire local private professional videographers.
4. The Returning Officer shall, while programming the itinerary of the Video teams, take into account the number of electors, the size of the constituency, the number of sensitive polling stations, previous history of booth capturing and other malpractices, the general law and order situation, the likelihood of commission of corrupt practices and electoral offences and other related factors.
5. On the basis of his assessment, the Returning Officer should decide the number of video teams needed. The Commission has not prescribed any maximum or minimum number of video teams for an assembly/parliamentary constituency and has left it to the discretion of the Returning Officers on a correct appreciation of the factors mentioned in paragraph 4 above.

6. The Commission has issued the following instructions in the matter of selection of videographers and their deployment:-

6.1 The private videographers to be hired shall be screened thoroughly as to their professional competence, track record, financial viability and other related factors.

6.2 The videographers should not belong to any political party and should not be known sympathizers or supporters or close relatives of any of the contesting candidates or any of the leaders of any political party or should not have been hired by any political party or contesting candidate.

6.3 The Returning Officer is required to provide tea, snacks food etc. to the videographers and they shall not be left to fend for themselves while on duty. It shall be ensured that the videographers DO NOT accept the hospitality of any contesting candidate or political party or their workers.

6.4 Video teams should be under the personal supervision and guidance of a senior election related officer.

6.5 As and when required the video teams may be asked to accompany the General/Election Expenditure Observers so that all critical events observed by them may also be videotaped.

6.6 The videographers shall be impressed that the principle behind the scheme is to record and videotape critical events only which are likely to vitiate the poll and not to just videotape all events in a routine manner in order to fill the cassette.

7. Following items should be considered for special watch and videography -

- Meeting addressed/attended by Ministers, top national/State level leaders of recognized parties.
- Riots or riotous situations or commotions brick batting, free-for-all etc.
- Violent incidents, damaging of property, looting, arson, brandishing of arms etc.
- Booth capturing.
- Intimidation of voters.
- Inducement / bribing of voters by distribution of items like saree, dhoti, blankets etc.
- Canvassing within 100 metres of polling stations.
- Vulgar display of expenditure like huge cutouts etc.
- Movement and activities of candidates with doubtful / criminal records
- Hypersensitive & sensitive polling stations

- Important events such as nomination, scrutiny and withdrawal of candidatures
- Preparation of EVMs by ROs
- Closure of strong room after deposit of EVMs therein
- Opening of strong rooms before taking out the EVMs for counting
- Counting process

**Note: These are illustrative and not exhaustive. All video and digital photography should be done with date and time recording so that the real time and date can be verified**

8. The video films thus prepared shall be viewed by the Returning Officer immediately to identify whether any of the organizers / speakers or other participants of the public meeting has committed any violations or infractions of statutory provisions and directions of the Commission or Model Code of Conduct relating to the conduct of elections.

9. In cases where the Returning Officer is himself competent, immediate corrective action including disciplinary action against all those found guilty shall be taken and the Commission informed of the same.

10. In cases of serious infringements, which the Returning Officer in his judgment decides to report to the Commission, a copy of the videotape concerned will be forwarded to the Commission by quickest means possible. The tapes will be carefully indexed and accompanied by a brief explanatory note of the infringement towards which the attention of the Commission is proposed to be invited. The explanatory note shall invariably mention the broad details of the violations, the persons responsible for the same and the action recommended.

11. The videographic clippings are required be to shown to one of the Observers available in the Constituency on a-daily basis to enable him apprise the Commission of the situation prevailing in a particular constituency so that remedial measures, if any needed, can be taken promptly.

12. While seeking the clearance of the Commission for taking up of the counting of the votes and declaration of the results, the Returning Officer must include a categorical statement to the effect that all infringements observed in the videographed events have been appropriately and completely disposed of.

#### **VIDEO/DIGITAL PHOTOGRAPHY OF PROCEEDINGS INSIDE THE POLLING STATION**

13. In deference to the suggestions of Supreme Court, contained in its judgment dated 11<sup>th</sup> January 2005 in Civil Appeal No.9228 of 2003 - (Janak Bingham Vs. Das Rai and Other) the Commission directs that photography may now be carried inside the polling stations to photograph electors and cover poll proceedings without compromising the secrecy of voting. For

such photography, arrangements will be made by the respective District Election Officer (DEO) in consultation with the Chief Electoral Officer.

- 13.1 In particular cases where the Commission has specifically directed video/digital photography of voters in identified area/assembly segments/polling stations, care should be taken to ensure that faces of all electors coming to cast their vote but not having EPIC or other ECI approved photo identity card, is captured in same sequence as they are entered in form 17-A i.e. Register of Voters. The photograph of electors shall be taken immediately after an entry has been made in form 17-A.
- 13.2 Critical events in and around the polling station should also be captured on video/digital camera in such polling stations. For example,
  - Mock poll and sealing of EVM before commencement of polls
  - Positioning of voting compartment
  - Presence of polling agents
  - Voters waiting outside at the close of scheduled hour of poll and the last voter in queue
  - Visits of sector officers, observers and other electoral functionaries etc.
- 13.3 The District Election Officers will issue digital cameras to the trained officers selected for the purpose under proper receipt for covering the specified polling station. These officers will capture the photographs of electors as indicated above during the period of poll and at the end of poll shall issue a certificate that "**I have captured photographs of all electors who voted at polling station number\_\_\_\_\_on date\_\_\_\_\_ and total number of photographs in the camera are\_\_\_\_\_**".
- 13.4 After completion of poll the officer who did the photography shall deposit the camera along with the above certificate at a separate counter to be erected for the purpose at collection center. These officers will be given proper duty passes to enable them to do photography inside the polling station. On receipt of such cameras District Election Officer shall make arrangements for downloading the photographs and their comparison. The Returning Officers and Observers will use the results of photo matching while making the recommendations for repoll. The downloaded data in respect of all polling stations will be kept by the DEOs in CDs for later use. The cameras will be cleared after downloading the

photographs and their comparison for use in subsequent phases or elections as per the instructions issued by the Chief Electoral Officer in this respect.

13.5 The training of personnel who will be engaged in digital photography inside the polling stations shall be arranged by the Chief Electoral Officer. The Chief Electoral Officer/District Election Officers will make sure that enough batteries are available for operation of cameras in remote areas. All 2<sup>nd</sup> Polling Officers, all Presiding Officers, all AROs/ ROs/ DEOs/ Observers/ Candidates and political parties should be apprised of these arrangements.

#### **INSPECTION AND SUPPLY OF COPIES (Prints) OF VIDEO TAPES**

14. Requests have been received from contesting candidates, office bearers of political parties and others interested for inspection and supply of copies (prints) of the video tapes produced in compliance with the above mentioned orders of the Commission.

15. The Commission considers it necessary to lay down some uniform guidelines and a standard procedure in this regard.

16. After careful consideration of all relevant factors, the Commission lays down the following procedure:

16.1 Each and every video cassette produced in compliance with the orders of the Commission shall form a part of the record of the concerned election and stored as such with due precautions for its safety until it is weeded out with the prior written approval of the Commission and in the manner prescribed, as in the case of other records of the election.

16.2 All such video-cassettes will be in the custody of the District Election Officer concerned as in the case of all other election related records.

16.3 Each videotape shall be indexed with a uniform code number in the following standard formulation: State/District/AC/Date of recording/Gist of event videographed

16.4 The locking seal of cassettes will be kept in tact and not broken, so that copying of the contents of cassette on another cassette does become impossible, but shall be covered by a tape before consigning the cassette for storage with a view to preventing accidental erasing of contents, editing, manipulation, etc.

16.5 In pursuance of rule 93(2) read with section 76 of the Indian Evidence Act, 1872 the Commission has issued the following directions-

16.5.1 Inspection - (a) Every application for inspection of a videocassette shall be made in writing and should contain the full particulars concerning the cassette of which inspection is required, (b) an inspection of the cassette shall be allowed to any person applying for the same on payment of Rs. 25/- per hour of inspection or part thereof unless inspection is required to be made urgently in which case the fee shall be Rs. 50/- (c) Inspection on an ordinary application shall be allowed on the date following the date on which the application is made or on a subsequent day and inspection on an urgent application shall be made on the same day.

16.5.2 Certified copy - (a) Certified print of the video cassette shall be given to any person applying for the same on payment of Rs. 25/- as application fee and the actual cost of copying as may be locally applicable. The application should establish the right of the applicant for inspection or for supply of certified copies (prints) and for that purpose should clearly disclose that the applicant has a direct and tangible interest in the videocassette and the nature of such interest. (b) No fee shall be charged when inspection or certified copy (print) of a cassette is required for official purposes. To avoid removal of any footage of the cassette or damage or mutilation of the cassette, effective supervision by officials shall be ensured and simultaneous inspection by a large number of persons shall not be allowed.

16.6 the video cassettes will be made available for inspection in the office of the District Election Officer or Chief Electoral Officer as the case may be;

16.7 No guarantee for authenticity and veracity of the contents of the cassettes will be undertaken under any circumstances and these will be made available on 'as is' basis.

17. The contents of the letter may be brought to the notice of all political parties and contesting candidates at every election to the House of the People and to the State Legislative Assembly.

18. Kindly acknowledge receipt.

Sd/-

(A.K. MAJUMDAR)